

Application No.: 10/566,883
Amendment dated August 20, 2009

Docket No.: 64788(70820)

REMARKS

Claims 1-33 were pending in the instant application. Claims 15 and 29-33 have been canceled without prejudice. Claims 1, 2, 4-6, 16, 17, and 23-28 have been amended to delete the term "prodrug" and to more clearly delineate the invention. Support for the amendments can be found throughout the specification as filed. No new matter is introduced by these amendments.

Applicants make these amendments without prejudice to pursuing the original subject matter of this application in a later filed application claiming benefit of the instant application, including without prejudice to any determination of equivalents of the claimed subject matter.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 1-33 are rejected as the term "substituted" is allegedly indefinite. Applicants traverse but have amended claim 1 to include definitions of "substituted." Support can be found throughout the specification as filed, and more specifically at least at pages 15-23. The rejection is overcome and withdrawal of the rejection is respectfully requested.

Claims 1-33 are rejected as the term "substituted aromatic ring" is allegedly indefinite. Applicants traverse but have amended claim 1 to include definitions of "substituted." Support can be found throughout the specification as filed, and more specifically at least at pages 15-23. The rejection is overcome and withdrawal of the rejection is respectfully requested.

Claims 1-33 are rejected as the term "divalent hydrocarbon group" is allegedly unclear. Applicants traverse but have amended claim 1 to include definitions of "divalent hydrocarbon group." Support can be found throughout the specification as filed, and more specifically at least at pages 19-22. The rejection is overcome and withdrawal of the rejection is respectfully requested.

Claims 1-33 are rejected as the term "esterified" or "amidated carboxyl group" is allegedly unclear. Applicants traverse but have amended claim 1 to include definitions of both terms. Support can be found throughout the specification as filed, and more specifically at least at page 22. The rejection is overcome and withdrawal of the rejection is respectfully requested.

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Claims 12-14 are rejected as allegedly unclear regarding whether such compounds are within the genus of claim 1. Applicants traverse. Claims 12-14 are independent claims and do not depend from claim 1. The rejection is obviated and withdrawal of the rejection is respectfully requested.

Claim 15 is rejected as the term "prodrug" is allegedly unclear. Applicants traverse but have amended the claims to delete the term "prodrug." The rejection is overcome and withdrawal of the rejection is respectfully requested.

Claim 16 and 17-22 are rejected as the term "medicine" is allegedly unclear whether it refers to a pharmaceutical composition. Applicants disagree and respectfully traverse. The definition of a "medicine" of the instant invention can be found at least at pages 62-65 of the specification as filed. The rejection is obviated and withdrawal of the rejection is respectfully requested.

Claims 23 is rejected as allegedly unclear regarding the elements of the claim. Applicants traverse but have amended claim 23 to include the elements of each Markush group. Support for the amendments can be found at least at pages 15-23 of the specification as filed. The rejection is overcome and withdrawal of the rejection is respectfully requested.

Claims 29-33 are rejected as allegedly unclear. Applicants traverse but have canceled claims 29-33. The rejection is overcome and withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. § 101

Claims 29-33 are rejected, allegedly for lack of reciting method steps. Applicants traverse but have canceled claims 29-33. The rejection is overcome and withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. § 112, first paragraph

Claim 24 is rejected, allegedly for lack of enablement for failing to describe a disorder to be treated, who a subject is, how one can identify a subject, failing to provide a dose, and failing to provide a route of administration. Applicants disagree and respectfully traverse.

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The types of disorders related to the inhibition of squalene synthase in a mammal are provided in the specification, at least at pages 2-3, and include disorders related to lowering cholesterol or lipids. A recitation of mammals is provided at least at pages 42, 50 and 55 of the specification. Support for dosing and administration can be found at least at pages 62-70 of the specification as filed. The rejection is overcome and withdrawal of the rejection is respectfully requested.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 64788 (70820).

Respectfully submitted,

Dated: August 20, 2009

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